

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Charles Ray Thomas, II, aka	)	
Adebisi Ali,	)	
	)	
Plaintiff,	)	Civil Action No. 4:22-cv-3669-SAL-TER
	)	
v.	)	
	)	<b>Order adopting [44] Report and</b>
	)	<b>Recommendation</b>
Trans Union, LLC and Equifax	)	
Information Services, LLC,	)	
	)	
Defendant.	)	

This matter is before the court for review of the Report and Recommendation (Report) of Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02 (B)(2)(e) (D.S.C.).

Plaintiff, proceeding pro se, filed his complaint alleging Defendants violated the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq, on October 21, 2022. [ECF No. 1.] Defendants timely answered. [ECF Nos. 17 and 24.] Prior to Defendants filing their answers, Plaintiff moved for default judgment as to Mark Begor of Equifax and Chris Cartwright of TransUnion. [ECF Nos. 15, 16.] Plaintiff later moved for summary judgment as well. [ECF No. 28.]

The magistrate judge issued his Report on May 3, 2023, recommending all three motions be denied. [ECF No. 44 at 4.] The magistrate judge recommends denying the motions for default judgment on the grounds neither Begor nor Cartwright are parties to this action. *Id.* at 2. Additionally, both Defendants timely answered, and, to the extent Plaintiff seeks default judgment against them, neither party is in default and default judgment is not proper. *Id.* at 3. The magistrate judge recommends denying Plaintiff's motion for summary judgment because Plaintiff has failed to identify the specific claims or defenses for which he seeks summary judgment and has not

pointed to specific evidence in the record to support his argument that summary judgment is proper. *Id.* The magistrate judge also recommends denying the summary judgment motion on the ground it is premature. *Id.*

Attached to the Report was a notice of right to file objections. [ECF No. 44-1.] Objections were due on May 17, 2023. An additional 27 days have passed since that deadline, and Plaintiff has not filed an objection to the Report. This matter is ripe for ruling.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record in this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 44, and incorporates the Report by reference herein. Accordingly, Plaintiff’s Motions for Default Judgment, ECF Nos. 15 and 16, and Motion for Summary Judgment, ECF No. 28, are **DENIED**.

**IT IS SO ORDERED.**

June 12, 2023  
Columbia, South Carolina

/s/Sherri A. Lydon  
Sherri A. Lydon  
United States District Judge